

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MOSHE EPHRATI, Individually and on behalf of all others similarly situated,

Plaintiff,

-against-

UNITED STATES OIL FUND, LP,
UNITED STATES COMMODITY FUNDS LLC, JOHN P. LOVE, and STUART P. CRUMBAUGH,

Defendants,

NOTICE OF PRETRIAL CONFERENCE

20 Civ. 6010 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

Counsel for all parties are directed to appear before the Court for an initial pretrial conference in accordance with Rule 16 of the Federal Rules of Civil Procedure on **October 22, 2020 at 10:30 a.m.** in Courtroom 705 of the Thurgood Marshall United States Courthouse, 40 Foley Square, New York, New York. **COUNSEL FOR PLAINTIFF(S) MUST: (i) IMMEDIATELY NOTIFY ALL ATTORNEYS IN THIS ACTION BY SERVING UPON EACH OF THEM COPIES OF THIS NOTICE AND THE COURT'S INDIVIDUAL PRACTICES; AND (ii) SEND A COPY OF SUCH NOTICE TO CHAMBERS (without attachments). IF COUNSEL FOR PLAINTIFF(S) IS UNAWARE OF THE IDENTITY OF COUNSEL FOR ANY OF THE PARTIES, COUNSEL FOR PLAINTIFF(S) MUST IMMEDIATELY SEND COPIES OF THE NOTICE AND INDIVIDUAL PRACTICES TO THAT PARTY PERSONALLY.** Principal trial counsel must appear at this and all subsequent conferences.

This case has been designated as an electronic case and has been assigned to me for all purposes. By the date of the initial pretrial conference, counsel for all parties must register as filing users in accordance with the Procedures for Electronic Case Filing and file a Notice of Appearance.

Seven days before the conference, the parties must submit a joint letter addressing the following in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s); (2) any contemplated motions; and (3) the prospect for settlement. For the Court's convenience, the parties must set forth the conference's date and time in the joint letter's opening paragraph. The Court directs the parties to consult its Individual Practices and model Case Management Plan and Scheduling Order – both of which are available on the Court's web site – **and to submit with their joint letter a jointly proposed Case Management Plan.**

In any case involving allegations of personal injury – whether physical, psychological, emotional, or otherwise – the Plaintiff is to provide to the Defendant prior to the initial pretrial conference all necessary medical authorizations.

The parties should be aware that the Court requires a pre-motion conference before any motion is filed, in accordance with Rule 4(A) of the Court's Individual Practices.

The Court will consider requests for adjournment of the conference only if they are in writing and otherwise in accordance with the Court's Individual Practices.

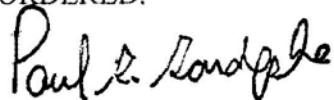
The parties should not provide the Court with courtesy copies of any document less than six pages in length.

If this case has been settled or otherwise terminated, counsel are required to notify the Court – **before the date of the conference** – by calling (212) 805-0224, and must send a stipulation of discontinuance, voluntary dismissal, or other proof of termination via email to the Orders and Judgments Clerk at the following email address: judgments@nysd.uscourts.gov.

Per the SDNY COVID-19 COURTHOUSE ENTRY PROGRAM, anyone who appears at any SDNY courthouse must complete a questionnaire and have their temperature taken. Please see the instructions, attached below. Completing the questionnaire ahead of time will save time and effort upon entry. Only those individuals who meet the entry requirements established by the questionnaire will be permitted entry. Please contact chambers if you do not meet the requirements.

Dated: New York, New York
August 11, 2020

SO ORDERED.



Paul G. Gardephe
United States District Judge

Attachment: Screening Instructions

All members of the public, including attorneys, appearing at a Southern District of New York courthouse must complete a questionnaire and have their temperature taken before being allowed entry into that courthouse.

On the day you are due to arrive at the courthouse, click on the following weblink, or scan the following QR code with a mobile device camera to begin the enrollment process. Follow the instructions and fill out the questionnaire. If your answers meet the requirements for entry, you will be sent a QR code to be used at the SDNY entry device at the courthouse entrance.

<https://app.certify.me/SDNYPublic>



Note: If you do not have a mobile phone or mobile phone number, you must complete the questionnaire and temperature screening at an entry device at the courthouse.